

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR TREATING FECAL INCONTINENCE

(check one) ☐ is attached hereto.

☒ was filed on June 15, 2001 as
Application Serial No. _____
and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) | | | <u>Priority Claimed</u> | |
|------------------------------|-----------|------------------------|--------------------------|--------------------------|
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes | No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|---------------|---|
| 09/286,245 | April 5, 1999 | Patented 6/26/01 |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |

| | | |
|--------------------------|--------------------------|---|
| <u>09/232,056</u> | <u>January 15, 1999</u> | <u>Patented 5/29/01</u> |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| <u>60/111,884</u> | <u>December 11, 1998</u> | <u>Priority claimed in 09/232,056</u> |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |

Direct all telephone calls to EDWARD N. BACHAND at (650) 494-8700.

Address all correspondence to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

Suite 3400, Four Embarcadero Center

San Francisco, California 94111-4187

File No. A-70013/ENB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of
first inventor:

DAVID E. SILVERMAN

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Palo Alto, California

United States of America

570 Villa Real

Palo Alto, CA 94306

Full name of
second inventor:

ALAN STEIN

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Moss Beach, California

United States of America

649 Lancaster Boulevard

Moss Beach, CA 94038

1030461

REVOCATION AND SUBSTITUTION OF POWER OF ATTORNEY

The undersigned assignee of the entire interest in patent application Serial No. 09/882,522; filed June 15, 2001 in the names of David E. SILVERMAN and Alan STEIN entitled "*METHOD FOR TREATING FECAL INCONTINENCE*" hereby revokes all powers of attorney previously granted in connection with this application and hereby appoint the DORSEY & WHITNEY LLP attorneys and agents associated with Customer Number 32940 as its attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. and appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. 1.36; provided that if any one of said attorneys ceases being affiliated with the law firm of DORSEY & WHITNEY LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived there from shall terminate on the date such attorney ceases being so affiliated.

Assignee has reviewed that certain Assignment executed by David E. Silverman and Alan Stein in favor of Enteric Medical Technologies, Inc. on July 6, 2001 and recorded on July 19, 2001 with the U.S. Patent and Trademark Office in Reel 012007, Frames 0069 through 0071, and that certain Assignment executed by Enteric Medical Technologies, Inc. in favor of Scimed Life Systems, Inc. on September 18, 2002 which was filed with the Box Assignment Division of the U.S. Patent and Trademark Office on September 23, 2002, a copy of which is attached, that collectively evidence the placement of title in Assignee.

Direct all telephone calls to EDWARD N. BACHAND at (650) 494-8700.

Please note the change of address regarding all future correspondence:

Dorsey & Whitney LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187

Date: October 16, 2002 Signature: Robert M. Rauker
By: Robert M. Rauker
(print name)
Title: Assistant Secretary
Assignee: SCIMED LIFE SYSTEMS, INC.
Address: One Scimed Place,
M/S A150
Maple Grove, MN 55311

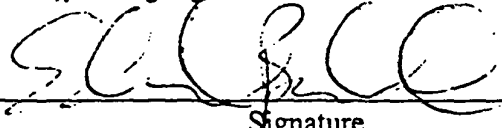
RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

PATENTS ONLY

To the Honorable Assistant Commissioner for Patents and Trademarks. Please record the attached original documents or copy thereof.

| | | | |
|---|--|--|--|
| 1. Name of conveying party(ies): ENTERIC MEDICAL TECHNOLOGIES, INC. Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | 2. Name and address of receiving party(ies): Name: <u>SCIMED LIFE SYSTEMS, INC.</u> Internal Address: <u>M/S A150</u> Street Address: <u>One Scimed Place</u> City: <u>Maple Grove</u> State: <u>MN</u> Zip: <u>55311</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>September 18, 2002</u> | | | |
| 4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____ | | | |
| A. U.S. Patent Application No.(s) 09/709,236 filed November 10, 2000; 09/851,610 filed May 8, 2001; 09/851,651 filed May 8, 2001; 09/852,403 filed May 9, 2001; 09/853,060 filed May 10, 2001; 09/882,522 filed June 15, 2001; 10/066,155 filed January 31, 2002 | | B. Patent No.(s) | |
| Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| 5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Edward N. Bachand</u> Internal Address: <u>DORSEY & WHITNEY LLP</u> Street Address: <u>SUITE 3400</u> <u>FOUR EMBARCADERO CENTER</u> City: <u>SAN FRANCISCO</u> State: <u>CA</u> Zip: <u>94111-4187</u> | | 6. Total number of applications and patents involved: <u>[1]</u> 7. Total fee (37 CFR 3.41):.....\$ <u>280.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account | |
| | | 8. Deposit account number: <u>502319</u> Please debit any underpayment or credit any overpayment to the above deposit account. Our Order No. <u>G-66694/ENB</u> | |
| DO NOT USE THIS SPACE | | | |
| 9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <u>Edward N. Bachand</u>  <u>SEPTEMBER 23, 2002</u> Name of Person Signing Signature Date Total number of pages including cover sheet, attachments and document: <u>[2]</u> | | | |
| OMB No. 0651-0011 (exp. 4/94) | | | |

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Honorable Commissioner of Patents and Trademarks, Box Assignments
Washington, DC 20231

U.S. PATENT APPLICATION ASSIGNMENT

In consideration of One Dollar (\$1.00), Enteric Medical Technologies, Inc., a California corporation having a principal place of business at 551 Foster City Boulevard, Suite G, Foster City, California 94404, hereby assigns to Scimed Life Systems, Inc., a Minnesota corporation having a principal place of business at One Scimed Place, M/S A150, Maple Grove, Minnesota 55311, its entire right, title and interest in and to the inventions which are the subject matter of the United States patent applications below-listed in all countries of the world, and the right of priority under the International Convention for the Protection of Industrial Property, the Inter-American Convention relating to Inventions, Patents, Designs and Industrial Models, and any other convention, treaty or reciprocal agreement to which the United States is a party concerning priority in inventions, patents, design, inventor's certificates, industrial property or industrial models, and any and all applications for Letters Patents or Inventor's Certificates which have heretofore or may hereafter be filed on said inventions in any country or countries, as well as any and all Letters Patents and Inventor's Certificates which may be granted on such patent applications, including all extensions, continuations, divisions, reissues and renewals thereof; the same to be held and enjoyed by Scimed Life Systems, Inc., for its own use and behoof and for the use and behoof of its successors and assigns as fully and entirely as the same would have been held and enjoyed by Enteric Medical Technologies, Inc. had this assignment not been made;

AND, Enteric Medical Technologies, Inc. covenants that it has not and will not execute any instrument or take any action contrary to this assignment, nor encumber the title of Scimed Life Systems, Inc. in, to and under said inventions, applications, Letters Patents and Inventor's Certificates, and that Enteric Medical Technologies, Inc. has the right to execute this instrument.

| SERIAL NO. | FILING DATE | DOCKET NUMBER |
|------------|-------------------|---------------|
| 09/709,236 | November 10, 2000 | A-69417 |
| 09/851,610 | May 8, 2001 | A-66694-1 |
| 09/851,651 | May 8, 2001 | A-67544-1 |
| 09/852,403 | May 9, 2001 | A68309-1 |
| 09/853,060 | May 10, 2001 | A-67546-1 |
| 09/882,522 | June 15, 2001 | A-70013 |
| 10/066,155 | January 31, 2002 | A-68240-1 |

IN WITNESS WHEREOF, Enteric Medical Technologies, Inc. hereby executes this agreement.

ENTERIC MEDICAL TECHNOLOGIES, INC.,
a California corporation

By:  _____

Alan Stein, Chairman

Date: Sept 18, 2002

Witness: _____



UNITED STATES
PATENT AND
TRADEMARK OFFICE

JANUARY 13, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

DORSEY & WHITNEY LLP
EDWARD N. BACHAND
FOUR EMBARCADERO CENTER
SUITE 3400
SAN FRANCISCO, CA 94111-4187



102244218A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/03/2002

REEL/FRAME: 013350/0303
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ENTERIC MEDICAL TECHNOLOGIES, INC. DOC DATE: 09/18/2002

ASSIGNEE:

SCIMED LIFE SYSTEMS, INC.
ONE SCIMED PLACE
M/S A150
MAPLE GROVE, MINNESOTA 55311

SERIAL NUMBER: 09709236
PATENT NUMBER:

FILING DATE: 11/10/2000
ISSUE DATE:

SERIAL NUMBER: 09851651
PATENT NUMBER:

FILING DATE: 05/08/2001
ISSUE DATE:

SERIAL NUMBER: 09853060
PATENT NUMBER:

FILING DATE: 05/10/2001
ISSUE DATE:

SERIAL NUMBER: 10066155
PATENT NUMBER:

FILING DATE: 01/31/2002
ISSUE DATE:

013350/0303 PAGE 2

SERIAL NUMBER: 09851610
PATENT NUMBER:

FILING DATE: 05/08/2001
ISSUE DATE:

SERIAL NUMBER: 09852403
PATENT NUMBER:

FILING DATE: 05/09/2001
ISSUE DATE:

SERIAL NUMBER: 09882522
PATENT NUMBER:

FILING DATE: 06/15/2001
ISSUE DATE:

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

10-08-2002

FORM PTO-1595

RECORD
Patent

U.S. DEPARTMENT OF COMMERCE

10-3-12

102244218

| | |
|---|---|
| To the Honorable Assistant Commissioner for Patents and Trademarks. Please record the attached original documents or copy thereof. | |
| 1. Name of conveying party(ies): ENTERIC MEDICAL TECHNOLOGIES, INC. Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Name and address of receiving party(ies): Name: <u>SCIMED LIFE SYSTEMS, INC.</u> Internal Address: <u>M/S A150</u> |
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| Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Edward N. Bachand</u> Internal Address: <u>DORSEY & WHITNEY LLP</u> | 6. Total number of applications and patents involved: <u>[1]</u> |
| Street Address: <u>SUITE 3400</u> <u>FOUR EMBARCADERO CENTER</u> City: <u>SAN FRANCISCO</u> State: <u>CA</u> Zip: <u>94111-4187</u> | 7. Total fee (37 CFR 3.41):..... <u>\$280.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account |
| 8. Deposit account number: <u>502319</u> Please debit any underpayment or credit any overpayment to the above deposit account. Our Order No. <u>G-66694/ENB</u> | |
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| 9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. 10/07/2002 DEYRNE 00000015 09709236 01 FC <u>Edward N. Bachand</u> <u>280.00</u> Name of Person Signing Signature Date <u>SEPTEMBER 23, 2002</u> Total number of pages including cover sheet, attachments and document: <u>[2]</u> | |
| OMB No. 0651-0011 (exp. 4/94) | |

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Honorable Commissioner of Patents and Trademarks, Box Assignments

Washington, DC 20231

File No. G-66694/ENB

Rev. 8/93

1047396

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a California corporation

By:  _____

Alan Stein, Chairman

Date: Sept 18, 2002

Witness: _____